

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) In a data communication system including a wireless subsystem for the transmission of data packets between a server and a wireless handset having a voice/data capability selectable between first and second operating modes, a method of selecting the operating mode of the handset after wireless communication is established between the handset and the wireless subsystem, which comprises the steps of:

associating, with the system, a data base containing data indicative of the operating mode capability of the wireless subsystem;

transmitting query messages in the first operating mode on the wireless subsystem from the handset to the data base to retrieve the capability data;

transmitting the capability data from the data base to the handset in the first operating mode; and

operating the handset in the second mode if the retrieved capability data indicates that the wireless subsystem is capable of operation in the second mode.

2. (Currently Amended) In a data communication system for transmitting data packets between a server and a wireless handset having a voice/data capability selectable between first and second operating modes, the system comprising, in

combination, first and second wireless subsystems coupled to the server, the first wireless subsystem being operable in the first mode, the handset being initially in wireless communication with the first wireless subsystem in the first mode, a method of selecting the operating mode of the handset in connection with a handoff of the handset from the first wireless subsystem to the second wireless subsystem, which comprises the steps of:

associating, with the system, a data base containing data indicative of the operating mode capability of the second wireless subsystem;

transmitting query messages in the first operating mode on the ~~system~~ second wireless subsystem from the handset to the data base after execution of the handoff to retrieve the capability data;

transmitting the capability data from the data base to the handset on the second wireless subsystem in the first operating mode; and

switching the handset into the second mode if the retrieved capability data indicates that the second wireless subsystem is capable of operation in the second mode.

3. (Previously Presented) A method as defined in claim 2, in which the query messages contain information identifying the wireless subsystem to which the handset is then connected.

4. (Original) A method as defined in claim 3, in which the query messages further contain information identifying the current specific latitude-longitude location of the handset.

5-6. (Canceled)

7. (Previously Presented) A method as defined in claim 25, in which the associating step comprises designating the data base as a second Internet destination port for the handset.

8. (Previously Presented) A method as defined in claim 25, in which the data base further contains configuration data useful for efficient radio communication between the handset and the second wireless subsystem in the second mode.

9-22. (Canceled)

23. (Previously Presented) A method as defined in claim 1, in which the system further includes a different wireless subsystem, the handset being initially in wireless communication with the different wireless subsystem in the first mode, the method further comprising the step of handing off the handset from the different wireless subsystem to the wireless subsystem, wherein the query messages to retrieve capability data are transmitted after execution of the handoff.

24. (Previously Presented) A method as defined in claim 1, in which the wireless subsystems comprises first and second base stations coupled to the server, the first base station being operable in the first operating mode, the data base containing data indicative of the operating mode capability of the second base station, and the operating step comprising operating the handset in the second operating mode if the retrieved capability data indicates that the second base station is capable of operation in the second operating mode.

25. (Previously Presented) A method as defined in claim 2, in which the server is designated as a first Internet destination port for the handset, the second wireless subsystems being coupled to the server through the Internet.

26. (Previously Presented) A method as defined in claim 2, in which the first wireless subsystems subsystem comprises

a first base station coupled to the server through the Internet and the second wireless subsystem comprises second and third base stations coupled to the server through the Internet, the second base station being operable in the first operating mode, the data base containing data indicative of the operating mode capability of the third base station, the query messages being transmitted over the second base station, and the switching step comprising switching the handset into the second operating mode if the retrieved capability data indicates that the third base station is capable of operation in the second operating mode.

27. (Previously Presented) A method as defined in claim 26, in which the server is designated as a first Internet destination port for the handset.

28. (Currently Amended) In a data communication system including a wireless subsystem for the transmission of information between a server and a mobile device having a communication capability selectable between first and second operating modes, a method for signaling enhanced capabilities of the wireless subsystem to the mobile device comprising:

associating with the system a separate capabilities server storing information indicative of the operating mode capabilities of the wireless subsystem;

transmitting a query message from the mobile device to the capabilities server over the wireless subsystem in the first mode, wherein the query message requests ~~requesting~~ the stored operating mode capabilities information of the wireless subsystem;

transmitting the operating mode capabilities information from the capabilities server to the mobile device in the first mode; and

switching the mobile device from the first mode to the second mode ~~responsive in response~~ to the ~~retrieved~~ received operating mode capabilities information indicating that the wireless subsystem can operate in the second mode.

29. (Previously Presented) The method of claim 28, wherein the second mode is an enhanced data mode.

30. (Previously Presented) The method of claim 28, wherein the capabilities server is designated as an Internet destination port for the mobile device.

31. (Previously Presented) The method of claim 28, wherein the capabilities server also stores configuration data associated with the wireless subsystem.

32. (Previously Presented) The method of claim 28, wherein the wireless subsystem comprises first and second base stations, the query message being transmitted over the first base station in the first mode and the mobile device switching from the first base station in the first mode to the second base station in the second mode.

33. (Previously Presented) The method of claim 28, wherein the query message is transmitted responsive to a successful handoff of the mobile device from a different wireless subsystem to the first cell site.

34. (Previously Presented) The method of claim 28, wherein the mobile device is a wireless handset.